

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

Abdiwali M. A.,

Civil No. 18-2793 (DWF/TNL)

Petitioner,

v.

Secretary Homeland Security; Attorney General William Barr<sup>1</sup>; Scott Baniecke, ICE Field Office Director; and Kurt Freitag, Freeborn County Sheriff,

Respondents.

**ORDER ADOPTING REPORT  
AND RECOMMENDATION**

The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Tony N. Leung dated April 17, 2019. (Doc. No. 21.) No objections have been filed to that Report and Recommendation in the time period permitted. The factual background for the above-entitled matter is clearly and precisely set forth in the Report and Recommendation and is incorporated by reference. Based upon the Report and Recommendation of the Magistrate Judge and upon all of the files, records, and proceedings herein, the Court now makes and enters the following:

**ORDER**

1. Magistrate Judge Tony N. Leung's April 17, 2019 Report and Recommendation (Doc. No. [21]) is **ADOPTED**.

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<sup>1</sup> William P. Barr is substituted for Matthew Whitaker pursuant to Federal Rule of Civil Procedure 25(d).

2. Petitioner's Petition for a Writ of Habeas Corpus under 28 U.S.C. § 2241  
(Doc. No. [1]) is **DENIED AS MOOT**.
3. This action is **DISMISSED WITHOUT PREJUDICE** for lack of jurisdiction.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated: May 14, 2019

s/Donovan W. Frank  
DONOVAN W. FRANK  
United States District Judge